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Californians for Disability Rights

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October 18, 2006

Building Standards Commission
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Dear Sirs and Madams:

Thank you for providing the opportunity to comment on the proposed changes of California's codes and regulations affecting person's with disabilities and the minimum requirements for achieving access.

Below please find those items we find problematic or where we wish to comment. Items without comment are supported by us.

2006 ANNUAL CODE ADOPTION CYCLE
TITLE 24, PART 1 - EXISTING vs PROPOSED CODE LANGUAGE COMPARISON
CHAPTER 5 ACCESS TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITIES:
Article 1 Compliance Procedures: 5-110, 5-201, 5-205

There is some concern that the wording of the change incorporates the ELIMINATION of the Access Compliance Section within the Department. CDR is opposed to the elimination of the Access Compliance Section. CDR supports the other changes as presented.

2006 ANNUAL CODE ADOPTION CYCLE
TITLE 24, PART 12 - EXISTING vs PROPOSED CODE LANGUAGE COMPARISON 2006 CA REFERENCED STANDARDS CODE WITH CA AMENDMENTS: Chapters 12-11A and 12-11B BUILDING AND FACILITY ACCESS SPECIFICATIONS THROUGH Chapter 12-35 CALIFORNIA BUILDING CODE STANDARDS (See Part 2, Chapter 35)

CDR Supports the changes as presented.

2006 ANNUAL CODE ADOPTION CYCLE
TITLE 24, PART 2 – EXISTING vs. PROPOSED CODE LANGUAGE COMPARISON: CHAPTER 1: 101.1 Title

CDR OPPOSES the changes as presented. There is no clarity to the removal of the references to CA H&S Codes and there is no clear definition of "necessary California Amendments. The CA H&S Codes have many statutes protecting the rights of persons with disabilities and the right to access. CDR will remain opposed to any elimination of reference to the primacy of these statutes.

101.3 Scope

CDR OPPOSES the proposed scoping language as it appears to be in conflict with the ADA definition of "facilities", appears to conflict with section 109.1

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101.3.1

CDR OPPOSES the proposed changes unless additional language adds clarity of purpose and primacy

101.6 101.8 [For DSA/AC] Non-Building Standards, Orders and Regulations

CDR is opposed to changes that may impact on the "maintenance and usability" of the accessibility features as required under state and federal codes, statutes and law.

ALLEY

CDR is opposed to the proposed elimination of "alley" as a public right of way. Inaccessible alleyways render our communities unusable and inaccessible.

AREA OF REFUGE

CDR is very concerned with the application and use of "area of refuge" and that existing criteria often leave PWD's in harms way rather than providing quick and efficient evacuation.

DISABILITY

CDR OPPOSES as proposed. The California Statute on the definition of disability contained in GC 12926 is the current standard. The word "substantially" is not found in the governing statute and should be removed from this section.

HOTEL (or MOTEL) AND MOTEL

CDR OPPOSES any proposed language that may impinge on the Civil Rights extended to person's with disabilities under the ADA. CA code may provide improved access for Californians, but may not provide less.

PRIMARY ENTRY LEVEL. See Chapter 11A, Section 1107A.16-P and Chapter 11B, Section 1102B.

CDR OPPOSES unless amended to include ALL GROUND FLOOR ENTRYS AND EXITS-SEE 1114B &1127B

SERVICE ENTRANCE. See Chapter 11B, Section 1102B

CDR STRONGLY OPPOSES the elimination of the definition for Service Entrance. Although the ADA does not require or cover this definition, California Code has provided access requirements for Service Entrances. Elimination will reduce the protections to Californians with disabilities.

SECTION 412: AIRCRAFT-RELATED OCCUPANCIES: 412.1 Airport traffic control towers. 412.1.6 Accessibility

CDR OPPOSES the restrictions that remain in place long after technology has solved the 360 degree visibility issue. Current technology can provide access while maintaining 360 degrees visible.

907.9 Alarm notification appliances. . . .907.9.1 Visible alarms

CDR Stongly OPPOSES any reduction in existing CBC requirement

907.9.1.1 Public and common use areas

CDR STRONGLY OPPOSES. Although CDR supports the addition of number 11-classrooms, CDR strongly opposes the removal of "ANY OTHER AREA FOR COMMON USE"...Although the wording above would interpret the inclusion to any rational person, since there is a prescriptive list, there will always be some that attempt to limit to the prescriptive only. Please add back in as number 12 "any other area for common use".

907.9.1.3 Groups I-1 and R-1

CDR STRONGLY OPPOSES as the new language reduces current standard and appears to not meet the minimum standards under ADAAG SECTION 9.1.3

SECTION 1002 DEFINITIONS: 1002.1 Definitions: ACCESSIBLE MEANS OF EGRESS: AREA OF REFUGE

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

EXIT

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SECTION 1003 GENERAL MEANS OF EGRESS: 1003.1 Applicability

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1003.5 Elevation change. Exceptions:

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1003.2.10. Building accessibility.

CDR STRONGLY OPPOSES THE STRIKE OUT OF THE "OTHER BUILDING" AS THIS PROPOSAL WILL DO. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

SECTION 1007 ACCESSIBLE MEANS OF EGRESS: 1007.1 Accessible means of egress required

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.2 Continuity and components.

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.2.1 Elevators required

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.3 Exit stairways

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.4 Elevators

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1007.5 Platform lifts

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6 Areas of refuge

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.1 Size

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.2 Separation

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.3 Two-way communication

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.3.1

CDR STRONGLY OPPOSES THE REMOVAL OF TELEPHONES TO OUT LINES. CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.4 Instructions

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.5 Identification.

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.8 Exterior area for assisted rescue

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.8.1 Openness

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.8.3 Identification

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1007.9 1114B.2.4 [For SFM] Alarms/emergency warning systems/accessibility. If emergency warning systems are required..

CDR OPPOSES THE RIGID ADHERANCE TO OLD TECHNOLOGY STANDARDS THAT ALLOW OUTDATED STANDARDS FOR [LACK OF] SAFETY TO REMAIN IN PLACE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

SECTION 1008: DOORS, GATES AND TURNSTILES: 1008.1.1 Size of doors. . . .Exceptions:

CDR STRONGLY OPPOSES STANDARDS THAT BY THEIR VERY DESIGN RESTRICT AND EXCLUDE PERSONS WITH DISABILITIES FROM FULL INCLUSION. A DOOR WIDTH AT 28 INCHES WILL PRECLUDE INCLUSION NO MATTER WHERE OR WHAT FACILITY.

1008.1.6 Thresholds: Exception: The threshold height shall be limited to 7.75 inches (197 mm) where the occupancy is Group R-2 or R-3

CDR STRONGLY OPPOSES ANY STANDARD THAT PRESUPPOSES THAT A RAMP IS A SPECIAL ACCOMODATION AND A STEP OR STAIR IS STANDARD. A RAMP SERVES EVERY CALIFORNIAN IN THE PROCESS OF NEGOTIATING A CHANGE OF LEVEL. A STEP OR STAIR CAN ONLY SERVE SOME CALIFORNIANS AND IN ITS VERY DESIGN IS DISCRIMINATORY.

1008.1.8.1 Hardware

CDR OPPOSES ANY REDUCTION IN CURRENT STANDARDS AS THIS LANGUAGE APPEARS TO DO.

1008.1.8.3 Locks and latches

CDR OPPOSES THE STRIKING OF THE REQUIREMENT TO PROVIDE KEY ACCESS TO EGRESS WHEN THERE ARE BARS OR GRILLS

1008.1.8.6 Delayed egress locks

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1010.6 Landings. . . .

CDR OPPOSES THE STRIKING OF THE DEFINITION OF LANDINGS. THIS IS ONE OF THE MOST VIOLATED ACCESS REQUIREMENT STATEWIDE, AND THE ELIMINATION OF LEVEL LANDINGS BOTH INTERIOR AND EXTERIOR, OR AT BOTH SIDES OF A DOOR [AS APPLICABLE] SHOULD NOT OCCUR. THIS WOULD SIGNIFICANTLY IMPACT THE FUNCTIONALITY OF DOORS TO SAFE PASSAGE.

1010.6.5 Doorways. Where doorways are located adjacent to a ramp landing, maneuvering clearances required by ~~ICC A117.1~~ for accessibility are permitted to overlap the required landing area as specified in Chapter 11A or Chapter 11B, 1133B.5.

CDR STRONGLY OPPOSES THE ALLOWANCE OF OVERLAP IN THE MANEUVERING SPACE AND THE CLEAR LANDING SPACE.

SECTION 1013 GUARDS: 1013.1 Where required

CDR IS OPPOSED – BY REMOVING THIS SECTION FROM CHAPTERS 11A AND 11B, FUTURE EFFORTS TO ENSURE THE ACCESSIBILITY OF GUARDRAILS, I.E. SITE LINES, WILL BE NEGATIVELY AFFECTED

1013.2 Height

CDR IS OPPOSED – BY REMOVING THIS SECTION FROM CHAPTERS 11A AND 11B, FUTURE EFFORTS TO ENSURE THE ACCESSIBILITY OF GUARDRAILS, I.E. SITE LINES, WILL BE NEGATIVELY AFFECTED

1013.3 Opening limitations

CDR IS OPPOSED – BY REMOVING THIS SECTION FROM CHAPTERS 11A AND 11B, FUTURE EFFORTS TO ENSURE THE ACCESSIBILITY OF GUARDRAILS, I.E. SITE LINES, WILL BE NEGATIVELY AFFECTED

SECTION 1014 EXIT ACCESS: 1014.4 Aisles 1014.4.1 Aisles in Groups B and M. . . .

Exception: Nonpublic aisles serving less than 50 people and not required to be accessible by ~~Chapter 11~~ Chapter 11B need not exceed 28 inches (711 mm) in width

CDR STRONGLY OPPOSES STANDARDS THAT BY THEIR VERY DESIGN RESTRICT AND EXCLUDE PERSONS WITH DISABILITIES FROM FULL INCLUSION. AN AISLE WIDTH AT 28 INCHES WILL PRECLUDE INCLUSION NO MATTER WHERE OR WHAT FACILITY.

ACCESSIBLE MEANS OF EGRESS. See Section 1002.1

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

AREA FOR EVACUATION ASSISTANCE OF REFUGE. ~~is an accessible space which is protected from fire and smoke and which facilitates a delay in egress. See Section 1002.1.~~

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

EXIT. See Section 1002.1.

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

GUARD (or GUARDRAIL). See Section 1002.1.

CDR IS OPPOSED – BY REMOVING THIS SECTION FROM CHAPTERS 11A AND 11B, FUTURE EFFORTS TO ENSURE THE ACCESSIBILITY OF GUARDRAILS, I.E. SITE LINES, WILL BE NEGATIVELY AFFECTED

HANDRAIL is a device to be used as a hand hold. See Section 1002.1.

CDR IS OPPOSED – BY REMOVING THIS SECTION FROM CHAPTERS 11A AND 11B, FUTURE EFFORTS TO ENSURE THE ACCESSIBILITY OF GUARDRAILS, I.E. SITE LINES, WILL BE NEGATIVELY AFFECTED

PRIMARY ENTRY LEVEL is the floor or level of the building on which the primary entry is located

CDR OPPOSES ANY REDUCTION IN SCOPE – 1114B AND 1117B ALREADY REQUIRE ALL GROUND FLOOR ENTRANCES AND EXITS TO BE ACCESSIBLE (THERE CAN BE MORE THAN ONE GROUND FLOOR).

SECTION 1103B BUILDING ACCESSIBILITY: 1104B.5 Dining, Banquet and Bar Facilities.

CDR OPPOSES ANY REDUCTION IN SCOPE. EXISTING IS CLEAR WIDTH, PROPOSED IS WIDTH FROM TABLE EDGE TO TABLE EDGE: POTENTIALLY REDUCING ACCESS CLEAR WIDTH TO NULL. OR [ADD WORDS “KEPT FREE AND CLEAR OF FURNITURE, CHAIRS, PERSONS, DECORATIVE ITEMS, TRASH BINS, TRAYS OR ANY OBSTRUCTION TO CLEAR AND UNOBSTRUCTED TRAVEL]

SECTION 1114B FACILITY ACCESSIBILITY 1114B.2 Egress and Areas for Evacuation Assistance .

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

SECTION 1115B BATHING AND TOILET FACILITIES (SANITARY FACILITIES) 1115B.1.1 Single user portable toilet or bathing units.
For single user portable toilet or bathing units clustered at a single location, at least 5 percent but no less than one toilet unit or bathing unit installed shall be accessible at each cluster

CDR IS OPPOSED TO SCOPING ACCESS AT 5% AS THAT WILL NOT ADEQUATELY SERVE THE KNOWN POPULATION

1115B.4.2 (1115B.2.1.1) Accessible urinals

CDR requests further study of floor mounted urinals and elongated rims that allow use

1115B.4.4.1 (1115B.6.2.1) Size and Clearances

CDR IS CONCERNED ABOUT THE LOSS OF THE CALIFORNIA 42 X 48 INCH ROLL-IN SHOWER. THIS DESIGN HAS ALWAYS BEEN CONSIDERED MORE ACCESSIBLE BY PERSONS WITH DISABILITIES

1117B.6 Controls and Operating Mechanisms.

CDR IS OPPOSED TO SEGREGATING OPPORTUNITIES TO UTILIZE FUNCTIONAL EQUIPMENT. TECHNICAL ADVANCES MAY PRECLUDE TODAY'S ACCESSIBILITY OPTIONS. IE: THE iBOT

1122B.5 Sales and Service Counters, Teller Windows, and Information Counters.

CDR is opposed to the apparent loss of under counter clearance of 28 inch min.

1133B.2.2 Width and height.

CDR OPPOSES THE APPARENT LOSS OF THE REQUIRED 18 INCH MIN STIKESIDE CLEAR AREA FOR DOOR MANEUVERING

1133B.2.5.2 Hand-activated door opening hardware.

CDR IS OPPOSED TO THE REDUCTION IN ACCESS TO CURRENT CA STANDARDS

2006 ANNUAL CODE ADOPTION CYCLE

TITLE 24, PART 9 - EXISTING vs PROPOSED CODE LANGUAGE COMPARISON

2006 UFC WITH CA AMENDMENTS

CALIFORNIA CHAPTER 1 -- GENERAL CODE PROVISIONS SECTION 109 DIVISION OF THE STATE ARCHITECT

109.1 Division of the State Architect/Access Compliance. General.

CHAPTER 2 DEFINITIONS AND ABBREVIATIONS SECTION 202 DEFINITIONS:

ACCESSIBLE MEANS OF EGRESS

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

AREA OF REFUGE

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

907.4 Manual fire alarm boxes. . . 907.4.1 Location. . . 907.4.2 Height

CDR ASKS FOR CLARITY RE ALARM BOXES MEETING EXISTING "OPERATING MECHANISM" REQUIREMENTS REGARDING NO GRASPING, PINCHING OR TWISTING TO OPERATE

CHAPTER 10 MEANS OF EGRESS (NOTE: This chapter is reprinted from Part 2, Chapter 10 with minor editorial revisions: SECTION 1002 DEFINITIONS: 1002.1 Definitions

AREA OF REFUGE. An area where persons unable to use stairways can remain temporarily to await instructions or assistance during emergency evacuation.

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1003.5 Elevation change. . . .Exceptions:

CDR STRONGLY OPPOSES ANY STANDARD THAT PRESUPPOSES THAT A RAMP IS A SPECIAL ACCOMMODATION AND A STEP OR STAIR IS STANDARD. A RAMP SERVES EVERY CALIFORNIAN IN THE PROCESS OF NEGOTIATING A CHANGE OF LEVEL. A STEP OR STAIR CAN ONLY SERVE SOME CALIFORNIANS AND IN ITS VERY DESIGN IS DISCRIMINATORY.

SECTION 1007 ACCESSIBLE MEANS OF EGRESS

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.2 Continuity and components

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.3 Exit stairways

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6 Areas of refuge

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.1 Size. Each area of refuge shall be sized to accommodate ~~one~~ two wheelchair spaces that are not less than ~~of~~ 30 inches by 48 inches (762 mm by 1219 mm) each.

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.2 Separation. Each area of refuge shall be separated from the remainder of the story by a smoke barrier complying with Section 709
CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.6.3 Two-way communication. Areas of refuge shall be provided with a two-way communication system between the area of refuge and a central control point.

CDR STRONGLY OPPOSES THE USE OF "AREAS OF REFUGE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1007.8 Exterior area for assisted rescue

CDR STRONGLY OPPOSES THE USE OF "AREAS OF ASSISTED RESCUE", AS IN PRACTICE THEY MAY BE PLACES TO DIE. CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

1008.1.8.6 Delayed egress locks

CDR STRONGLY OPPOSES THE CONTINUATION OF POLICIES AND PROCEDURES THAT COST THE LIVES AND SAFETY OF CALIFORNIANS WITH DISABILITIES. WE BELIEVE THAT THE STATE OF CALIFORNIA AND SPECIFICALLY THE STATE FIRE MARSHAL HAVE NOT TAKEN THE APPROPRIATE MEASURES INCLUDING RESEARCHING POSSIBLE EFFECTIVE MEANS OF EGRESS FROM BUILDINGS FOR PEOPLE WITH DISABILITIES. WE BELIEVE THAT TO SUPPORT THESE PROVISIONS WILL ALLOW THIS FAILURE TO CONTINUE

Again, Californians for Disability Rights, Incorporated wishes to thank the California State Architect for providing the opportunity to comment on the proposed changes that have such an impact on our daily lives and the ability of every Californian to access their communities and a rich and full life experience.

Sincerely,

Laura E. Williams, President
Californians for Disability Rights, Inc.

CDR – A Force for Change